

**SAN LUIS OBISPO PLANNING DEPARTMENT HEARING MINUTES FOR THE MEETING
OF
Friday, December 05, 2014**

Minutes of the Regular Meeting of the County Planning Department Hearings held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:00 a.m. by Mike Wulkan, Hearing Officer.

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. THE PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY.

PUBLIC COMMENT PERIOD

1. Members of the public wishing to address the Planning Department Hearing Officer on consent agenda items and matters other than hearing items may do so at this time, when recognized by the Hearing Officer. Presentations are limited to three minutes per individual.

Mildred Miyazaki states concerns regarding noticing procedures for vacation rentals.

CONSENT AGENDA

2. Unless pulled from the consent agenda by the Planning Department Hearing Officer for separate action, the following items will be acted on collectively because individual public hearings were not requested or required pursuant to Land Use Ordinance Section 22.062.050B.4.b. or Coastal Zone Land Use Ordinance Sections 23.02.033b.(2)(ii) and 23.02.033b.(4)(ii):
3. Hearing to consider a request by **JOHN SWIFT** for a Minor Use Permit/Coastal Development Permit to: a) construct a new 2,340 square-foot single family residence with a 280 square-foot attached garage; b) grading to widen and extend an existing 1,700 foot long access road; c) installation of two 8,000 gallon water tanks and associated utilities; and d) conversion of an existing single family residence to farm support quarters. The proposed project would result in the disturbance of approximately 1.3 acre on a 148-acre parcel in the Agriculture land use category. The proposed project is located at 3698 Clark Valley Road, approximately one mile south of Los Osos Valley Road and two miles southeast of the Los Osos urban reserve line. The site is in the Estero planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 30, 2014 for this project. Mitigation measures are proposed to address Aesthetics, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Public Services/Utilities, and Water/Hydrology. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s).

County File Number: DRC2012-00117

Assessor Parcel Number: 067-161-014

Therefore, on motion of the Hearing Officer, the request by JOHN SWIFT for a Minor Use Permit/Coastal Development Permit (DRC2012-00117) is granted based on the Findings A through G. listed in Exhibit A and subject to the Conditions 1 through 34 listed in Exhibit B (Document Number: 2014-075_PDH).

4. Hearing to consider a request by **JOHN DAY / J. TENBROECK INC.** for a Minor Use Permit/Coastal Development Permit to allow the construction of a 2,650 square-foot, three-level single family residence with an 840 square-foot attached garage and approximately 447 square feet of deck area. The project will result in the disturbance of approximately 3,600 square feet on a 3,600 square-foot vacant residential parcel. The proposed project is within the Residential Single Family land use category and is located at 3263 Shearer Avenue, approximately 0.3 miles southeast of the Old Creek Road and Highway 1 intersection, in the community of Cayucos. The site is located in the Estero planning area. This project is exempt under CEQA.

County File Number: DRC2014-00012
Supervisory District: 2
Brandi Cummings, Project Manager

Assessor Parcel Number: 064-427-046
Date Accepted: October 1, 2014
Recommendation: Approve

Therefore, on motion of the Hearing Officer, the request by JOHN DAY/J. TENBROECK, INC. for a Minor Use Permit /Coastal Development Permit (DRC2014-00012) is granted based on the Findings A through H. listed in Exhibit A and subject to the Conditions 1 through 32, including the newly added Condition 17, with the remaining Conditions to be renumbered accordingly (Document Number: 2014-076_PDH).

5. Hearing to consider a request by **STEVE WOODARD** for a Minor Use Permit/Coastal Development Permit to allow the demolition of an existing 1,283 square foot single family residence and construction of a new 1,755 square foot, two-level single family residence with a 441 square foot attached garage. The proposed residence also includes approximately 155 square feet of deck and 57 square feet of balcony area. The project will result in the disturbance of the entire 3,280 square-foot residential parcel. The proposed project is within the Residential Single Family land use category and is located at 1698 Pacific Avenue, west of Pacific Avenue and 17th Street intersection, in the community of Cayucos. The site is located in the Estero planning area. This project is exempt under CEQA.

County File Number: DRC2013-00109
Supervisory District: 2
Schani Siong, Project Manager

Assessor Parcel Number: 064-236-004
Date Accepted: October 1, 2014
Recommendation: Approve

Therefore, on motion of the Hearing Officer, the request by STEVE WOODARD for a Minor Use Permit/Coastal Development (DRC2013-00109) is granted based on the Findings A through I. and subject to the Conditions 1 through 37 which includes the newly added Condition 3, with the remaining Conditions being renumbered accordingly. (Document Number: 2014-077_PDH).

6. Hearing to consider a request by **RONALD VIOLA** for a Minor Use Permit / Coastal Development Permit to allow an existing single family residence to be used as a residential vacation rental. The proposed project is within the Residential Single Family land use category and is located at 1161 Pasadena Drive, approximately 300 feet north of the Santa Ysabel Avenue / Pasadena Drive intersection, in the community of Los Osos. The site is in the Estero planning area. This project is exempt under CEQA.

County File Number: DRC2014-00023
Supervisory District: 2
Cody Scheel, Project Manager

Assessor Parcel Number: 038-371-007
Date Accepted: September 11, 2014
Recommendation: Approve

Therefore, on motion of the Hearing Officer, the request by RONALD VIOLA for a Minor Use Permit/Coastal Development Permit (DRC2014-00023) is granted based on the Findings A through G. listed in Exhibit A and subject to the Conditions 1 through 14 listed in Exhibit B (Document Number: 2014-00023_PDH).

HEARING ITEMS

7. Hearing to consider a request by **ERNEST PEREVOSKI & TERRI L. ABBEY LIVING TRUST** for a Minor Use Permit / Coastal Development Permit to allow an existing single family residence to be used as a residential vacation rental. The proposed project is within the Residential Single Family land use category and is located at 672 Santa Lucia Avenue, approximately 100 feet east of 2nd Street, in the community of Los Osos. The site is in the Estero planning area. This project is exempt under CEQA.

County File Number: DRC2014-00028
Supervisory District: 2 Date
Cody Scheel, Project Manager

Assessor Parcel Number: 038-681-015
Accepted: September 23, 2014
Recommendation: Approve

Cody Scheel, Project Manager: presents project via a Power Point presentation.

Mike Wulkan, Hearing Officer" mentions correspondence received regarding this project.

Jeff Edwards, representative for Pamela Rutledge and Morro Bay Legacy, LLC: states he is in support of this project and brings into question Condition 2 for the Rutledge project, which is scheduled for the December 19, 2014 Planning Department Hearing. Asks for clarification as to the applicability of this Condition for other applications for vacation rentals or is it exclusive to this particular application?

Mike Wulkan, Hearing Officer: requests clarification as to when the Rutledge project is scheduled for a hearing. Mr. Edwards responds.

Midred Miyazaki, Los Osos resident: states concerns regarding project.

Terri L. Abbey-Perevoski , Applicant: clarifies intentions of project.

Mike Wulkan, Hearing Officer: questions Applicant regarding possible limitations of Conditions. Ms. Perevoski responds.

Mike Wulkan, Hearing Officer: questions staff if they have any response to comments made during testimony, and questions density limitations. Cody Scheel, Project Manager, responds.

Bill Robeson, Planning Staff: responds to comment made regarding distance and density requirements pertaining to Los Osos.

Mike Wulkan, Hearing Officer: deliberates, questions staff regarding a Condition for the upcoming Rutledge vacation rental project, and if this same Condition can be added .to this project. Bill Robeson, Planning Staff, responds. Language for this Condition is read into the record and is added as a new Condition 10.

Mike Wulkan, Hearing Officer: deliberates.

Therefore, on motion of the Hearing Officer, the request by ERNEST PEREVOSKI & TERRI L. ABBEY for a Minor Use Permit/Coastal Development Permit is granted based on the Findings A through G. listed in Exhibit A and subject to the Conditions 1 through 15 listed in Exhibit B

including new added Condition 10 which shall now read: “An informational pamphlet or similar educational material that identifies what rental tenants can do to minimize their impact to the environmentally sensitive habitat areas adjacent to the property shall be permanently posted in the rental unit in a prominent location”, with the remaining Conditions being renumbered accordingly. (Document Number: 2014-079_PDH).

8. Hearing to consider a request by **THOMAS DANFIELD & EUGENE MACHADO** for a Lot Line Adjustment (COAL14-0087) to adjust the lot lines between two parcels of 30.6 and 57.5 acres each. The adjustment will result in two parcels of 30.5 and 57.6 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located at 3725 and 3751 Santa Domingo Road. The site is in the South County (Huasna-Lopez subarea) planning area. This project is exempt under CEQA.

County File Number: SUB2014-00016
Supervisory District: 4
Stephanie Fuhs, Project Manager

APN(s): 048-171-004 & 048-171-008
Date Accepted: September 12, 2014
Recommendation: Approve.

Stephanie Fuhs, Project Manager: presents project via a Power Point presentation.

Mike Wulkan, Hearing Officer: verifies access for each parcel and if any existing structures will be effected by the adjustment. Ms. Fuhs, Project Manager, responds.

Therefore, on motion of the Hearing Officer, the request by THOMAS DANFIELD & EUGENE MACHADO for a Lot Line Adjustment (SUB2014-00016/COAL 14-0087) is granted based on the Findings A through B listed in Exhibit A and subject to the Conditions 1 through 10 listed in Exhibit B (Document Number: 2014-00016).

9. Hearing to consider a request by **ROBERT WILCOX** for a Lot Line Adjustment (COAL14-0056) to adjust the lot lines between two (2) parcels of 2 acres (Parcel 1) and 2 acres (Parcel 2). The adjustment will result in 2 parcels of 1.51 acres and 2.61 acres, respectively. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located on the south side of Ground Squirrel Hollow; approximately 0.3 miles east of Geneseo Road, located approximately 6 miles east of Paso Robles. The site is in the El Pomar-Estrella Sub Area of the North County Planning Area. The project is exempt under CEQA (Class 5)

County File Number: SUB2014-00005
Supervisory District: 5
Megan Martin, Project Manager

APN(s): 015-325-033 & 015-325-034
Accepted: September 22, 2014
Recommendation: Approve

Megan Martin, Project Manager: presents project via a Power Point presentation.

Mike Wulkan, Hearing Officer: questions staff regarding applicants intentions concerning the project, Ms. Martin responds.

Therefore, on motion of the Hearing Officer, the request for a Lot Line Adjustment (SUB2014-00005 COAL 14-0056) is granted based on the Findings A through B listed in Exhibit A and subject to the Conditions 1 through 11 listed in Exhibit B (Document Number: 2014-081_PDH).

ADJOURNMENT: 9:56 a.m.

Next Scheduled Meeting: December 19, 2014 in the County Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA.

